

City of Huntington Beach



Citizen Participation Plan

for the

*Community Development Block Grant &
HOME Programs*

Revised March 12, 2012

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Introduction

The U.S. Department of Housing and Urban Development (HUD) requires communities to submit one Consolidated Plan (CP) to HUD for its Community Development Block Grant (CDBG) and HOME Investment Partnership programs. The Consolidated Plan is a five-year planning document that incorporates the submissions (request for funding) to HUD for both programs. The process of selecting projects for the CP requires extensive citizen participation. Each year the City updates the CP by approving the annual “Action Plans.

In 1996, City Council adopted its first Citizen Participation Plan (CPP) for the Consolidated Plan 2000-2005, delineating the citizen participation roles for both Community Development Block Grant (CDBG) and HOME Investment Partnership programs. The Citizen Participation Advisory Board (CPAB) is a City Council-appointed advisory body whose primary role is to provide citizen participation for the CDBG Program under the terms of the Consolidated Plan, as well as to review the City’s Fair Housing Plan.

Requirements of the Citizen Participation Plan

The Citizen Participation Plan (CPP) must address each of the following elements:

Participation

The plan must provide for and encourage citizen participation, emphasizing the involvement of low-, very low-, and extremely low-income residents where housing and community development funds may be spent. The City is expected, in all stages of the process, to take whatever actions are appropriate to encourage the participation of all its residents, including minorities and non-English speaking persons, as well as persons with mobility, visual or hearing impairments in all stages of the process.

Access to Meetings

The City must provide adequate, timely notification so citizens can attend local meetings and public forums.

Access to Information

Citizens, public agencies, and other interested parties, including those most affected, must have the opportunity to receive information, review and submit comments on any proposed submission concerning the proposed activities, including the estimated amount proposed to benefit low-, very low-, and extremely low-income residents. These

groups must also have access to the City's plans to minimize displacement and assist those who may be displaced as a result of these activities. Citizens and citizen groups must also have access to records for at least four years.

Technical Assistance

Technical assistance must be provided to low-, very low- and extremely low-income groups that request assistance in developing proposals under the consolidated submission process.

Public Hearings

The City must provide at least two public hearings per year to obtain citizens' views and to respond to proposals and questions, to be conducted at a minimum of two different stages of the program year. Together, the hearings must address housing and community development needs, development of proposed activities, and review of program performance. At least one of these hearings must be held before the proposed Consolidated Plan/Action Plan is published for comment.

The meetings are to be held to: obtain views of citizens, public agencies and other interested parties; respond to proposals and comments at all stages of the consolidated submission process by:

1. Identifying housing and community development needs;
2. Reviewing proposed uses of funds; and
3. Reviewing program performance.

Bilingual Opportunities

Wherever a significant number of low and moderate income persons or residents of blighted neighborhoods speak and read a primary language other than English, staff will provide for all notices of public hearings and summaries of basic program information to be provided in such language. A bilingual Spanish speaking staff member, if available, will translate at all public hearings.

Publishing the Plan

The City must publish its proposed consolidated submission so that affected citizens have sufficient opportunity to review it and provide comments. The requirement for publishing may be met by publishing a summary of the proposed consolidated plan available at such places as libraries, government offices, and public places. The summary must describe the contents and purpose of the consolidated plan, and must include a list of the locations where copies of the entire plan may be examined.

Comments

Prior to the submission of the consolidated plan to HUD, the citizen participation plan must provide citizens a period of not less than 30 days to submit comments to staff. The City must consider the views of citizens, public agencies and other interested parties in preparing its final consolidated submission and attach a summary of such comments to the final document. The summary of citizen comments must include a written

explanation of comments not accepted and the reasons why these comments were not accepted.

Timely Response

The City must provide timely, written answers to written complaints and grievances, within 15 days, where practical.

Amendments

Prior to the submission of the Consolidated Plan to HUD or during the program year if any substantial change in the use of the funds is proposed, the citizens will be given reasonable notice of and the opportunity to comment on, the proposed amendment.

The Planning Process for the Action Plan

Annually, the Action Plan includes review of the needs identified in the Consolidated Plan, review of past performance, and an evaluation of any new needs identified during the past year. Importantly, staff reviews the priorities identified in the plan with City Council and the Citizen Participation Advisory Board. In addition, staff provides information from other planning documents, such as the City's Housing Element and the Redevelopment Agency's Housing Compliance Plan.

The following text will outline the role of City Council, CPAB, other City advisory bodies, staff, the citizens at large, and neighboring jurisdictions.

City Council

The City of Huntington Beach has a seven member Council serving as its legislative body. Two City Council Members are appointed to serve as liaisons to each advisory body. As such, two City Council Members will provide a key communication link to staff and the CPAB, communicating Council priorities and offering guidance as needed.

Early during the application period, City Council will be advised of the eligible public service programs operated by the City and of eligible public services in general. City Council will provide some policy direction to the CPAB regarding an approximate level of funding for these programs. Later after the CDBG grant amount is known, City Council will revisit these initial policies and determine if an adjustment is necessary. The assigned City Council Liaisons will work with the CPAB and its Executive Board to refine the recommendations prior to being sent to the whole City Council.

After the CPAB and staff have provided their final recommendations and staff has drafted the Action Plan, City Council will hold a public hearing on the Action Plan and will adopt final funding recommendations, after which the document is sent to HUD.

The Economic Development Committee, a three member City Council subcommittee, provides policy guidance to staff and closely advises staff on the selection of HOME projects.

Citizen Participation Advisory Board (CPAB)

The Citizen Participation Advisory Board (CPAB) was established in October 1996 and is comprised of up to fifteen members appointed to four-year terms by the City Council.

The CPAB strives to represent the diverse views on the socioeconomic issues related to low/moderate income individuals. To that end, low-income residents and members of minority groups are encouraged to apply to the City for appointment to the CPAB when vacancies arise, so that members of minority groups can be substantially represented.

The purpose of the Citizen Participation Advisory Board (CPAB) is to provide citizen participation and coordination in the City's planning processes for the CDBG Program. Along with staff, the Board shall assess the needs of the community particularly that of low and moderate income households, evaluate and prioritize projects pertaining to the required plans and provide recommendations to City Council on such plans and projects.

The Board shall hold regular monthly meetings during the CDBG application and deliberation period and establish its meeting times and locations by a minute action. All meetings are open to the public and special meetings may be called in conformance with the Ralph M. Brown Act. The Board will hold public hearings to obtain citizen input on community needs, plans or proposals. The CPAB is encouraged to hold public meetings in areas where there is a significant concentration of low to moderate-income persons.

Citizens at Large

As part of an ongoing effort to evaluate projects and programs proposed during the planning process, citizens are encouraged to attend meetings and communicate with City Council, CPAB and staff regarding the needs of the community. Citizens can send written correspondence to the staff liaison, who coordinates the responses.

Every effort will be made to respond in writing to those individuals who submit proposals or written comments within fifteen working days where practical.

The Role of Staff

Staff will provide technical information to community groups and plan several community-based meetings throughout the year. At these meetings, important elements of the CDBG and HOME programs will be reported, such as:

- Activities eligible under HUD programs.
- The priorities of the Consolidated Plan.
- The level of funding available for CDBG and HOME activities.

Staff will inform the citizens of the planning efforts of the City Council and CPAB. Staff will publish legal notices of all public hearings in a local newspaper of general circulation. News releases will promote the development of the Action Plan and invite citizens to attend meetings and/or contact staff for more information.

Staff will utilize one electronic mailing lists and use the City's website to keeping the community informed about the consolidated planning process. The list will include those persons and agencies that are interested in receiving meeting notices and program announcements that include the grant application process. If a person/agency does not have access to electronic e-mail, staff will mail such notices through the U.S. Postal Service. All lists shall be purged on a regular basis if mail is returned.

Staff is encouraged to communicate with various neighborhood groups and other advisory bodies throughout the year. The coordinator of the CDBG and HOME programs will provide information about project eligibility and offer technical assistance to those seeking funding for projects.

The staff liaison from the Department of Economic Development is assigned to work with the CPAB to:

- Be informed regarding HUD's changes in regulations, policies, and program opportunities;
- Review project proposals and prioritize projects in response to identified needs in the community;
- Communicate the Board's recommendations to City Council;
- Review and comment on the City's Fair Housing Plan;
- Establish meeting times, locations;
- Meet the public notice requirements according to the Brown Act;
- Monitor attendance and communicate to City Council when vacancies need to be filled according to the Maddy Act;
- Maintain the Board's meeting notes.

Technical Assistance

The City's Economic Development Department will provide the necessary technical assistance at all public hearings and CPAB meetings and to the general public as needed.

Staff will assist any resident or citizen group, in an effort to help citizens to:

- Understand program requirements,
- Identify the severity of community problems;
- Identify activity priorities; and
- Communicate citizens' comments and recommendations to the CPAB and/or City Council in a timely manner.

The following is also available:

- HUD regulations and rules will be available in the Economic Development Department for review by interested citizens.
- Training sessions regarding the CDBG program will be provided especially to CPAB members, and various City committees and commission members, and all interested citizens. HOME training will be scheduled as requested.

- Applicants for funding may receive additional technical assistance in completing the application. With sufficient notice, accommodations to provide assistance in filling out applications for funding will be arranged for persons with disabilities or language barriers.

All neighborhood, City Council and community wide Citizen Participation meetings will be attended by Economic Development staff.

Public Hearings

The City will hold a minimum of two public hearings (or more), the first required hearing will be held by the CPAB thirty to sixty days prior to the beginning of planning for the next year's program activities. The purpose of this early hearing is to assess the needs of the community before making any decisions regarding which projects will be funded.

An intermediate hearing may be held after the applications for funding are received for the purpose of receiving additional citizen input and prioritizing proposed activities. The CPAB will be the hearing body for this purpose.

Following the completion of its public hearing, the CPAB will prioritize the eligible programs and projects. Staff will summarize the CPAB recommendations and draft the Action Plan and prepare the Request for Council Action and publish the public notice for the City Council public hearing. The draft plan will be available for public review for 30 days prior to submission to HUD.

City Council will hold the last required public hearing, after which City Council will approve the Action Plan or make revisions as needed. Upon approval, staff will finalize the Action Plan and transmit the document to HUD.

Citizens will be encouraged to submit their ideas and concerns involving any proposals being considered during the planning and development stages at any time, by sending written comments or proposals to:

Consolidated Plan
Economic Development Department
2000 Main Street, Fifth Floor
Huntington Beach, CA 92648

Application for Funding - Submittal Process to HUD

Huntington Beach administers the HOME and the CDBG applications for funding in two different ways.

The HOME program targets its funds for the acquisition and preservation of affordable housing. Staff will accept proposals from Community Housing Development Organizations (CHDO's) throughout the year and analyze the projects on a case-by-case basis. If the project has merit, staff will review the project with the Economic Development Committee. After receiving a positive recommendation, the project will be sent to City Council for consideration.

The Community Development Block Grant program relies on the citizen participation of the CPAB for initial project review, deliberation and recommendations for funding before sending those recommendations to Council.

The entire submittal process of the Action Plan to HUD begins with the CDBG application process that later includes the HOME program as recommended by the EDC, is as follows:

1. Staff establishes the deadline for CDBG applications to be received. *(The necessary timeframe for conducting the required public hearings and the preparation of documents is the primary consideration when selecting the deadline)*. The deadline announcement and the CDBG application forms shall be made available on the City's website or may be e-mailed upon request, or picked-up in the Department of Economic Development.
2. A public notice is prepared advertising that the CPAB will hold at least one public hearing to ascertain community needs.
3. A public notice is prepared advertising that applications are available. (One public notice can cover items #1 & 2)
4. Staff sends out a notice of the CDBG application process to those on the electronic mailing list that includes City departments and outside agencies.
5. Staff is available to conduct informational presentations to community groups/neighborhoods and provide technical assistance to applicants as needed.
6. CDBG proposals are submitted to the Department of Economic Development (any proposed housing project will be reviewed for compliance with HUD regulations and with the City's Consolidated Plan). Potential HOME projects are identified and included in the draft Action Plan.
7. Staff will review projects for compliance with HUD regulations and summarize if the proposal addresses a need identified in the Consolidated Plan.
8. Copies of the application, the Consolidated Plan, the Action Plans, and Consolidated Annual Performance and Evaluation Reports, will be available on the City's website and at the Economic Development Department.
9. The CPAB will prioritize projects for City Council's consideration.
10. Before the Action Plan is submitted to HUD, the City Council will hold a final public hearing to receive citizen comments, concerns, and recommendations.
11. After the Action Plan is approved by City Council, staff submits the plan to HUD, with all of the required certifications.
12. If required by certain projects, staff publishes a legal notice regarding the required Request for the Release of Funds and the environmental status of the proposed projects that were considered "not exempt". After a 30-day comment period, if no objections are received, HUD approves the release of funds.
13. HUD sends the Funding Agreement to the City Administrator for signature. The agreement is returned to HUD.
14. Projects may be implemented.

HUD Acceptance of the Consolidated Plan

HUD regulations provide that the HUD area office will consider objections to the Consolidated Plan if the following conditions are present:

1. The description of needs and objectives are plainly inconsistent with available facts and data.
2. The activities to be undertaken are plainly inappropriate to meeting needs and objectives.
3. The application does not comply with the CDBG program requirements or the HOME requirements.
4. A proposed activity is found to be ineligible.

Objections received in writing by either the City or HUD on any activity regarding the Consolidated Plan, must be received within thirty (30) days after the Action Plan and the City's application for funds is submitted to HUD. The City of Huntington Beach encourages its citizens to provide comments or objections during the review period. Economic Development staff will make every reasonable effort to provide written responses to citizen complaints within fifteen (15) working days.

Program Implementation

The Department of Economic Development is the lead department for project implementation. Staff members work with various project managers from other city departments and contract administrators of subgrantee agencies to implement their projects. Departments shall enter into a Memorandum of Understanding (MOU) with the Department of Economic Development prior to implementing projects; likewise, subgrantees shall enter into a Subgrantee Agreement with the City prior to implementing their projects. Approved projects shall be entered into the Integrated Disbursement and Information System (IDIS) as required by HUD.

Economic Development staff serves as liaison with the Department of Housing and Urban Development, Community and Planning Division located in Los Angeles.

Monitoring and Evaluation

Economic Development staff monitors the activities for continued compliance including: the housing programs using CDBG and HOME funds, capital improvement projects, and public service programs whether performed by city staff or non-profit agencies as subgrantees.

Staff will apprise the CPAB about the project implementation at their scheduled meetings. Furthermore, the Consolidated Annual Performance and Evaluation Report (CAPER), will provide HUD and the public an opportunity to evaluate the performance of the plan.

Annual Performance Reports

Through the Consolidated Plan's Annual Evaluation and Performance Report (CAPER), the public is provided with an opportunity to provide comment for a period of not less than fifteen days prior to its submittal to HUD. A public notice will be published in a local newspaper of general circulation notifying that the CAPER is available for public review. The report will be available at the Department of Economic Development and on the City's website. Comments received at public hearings and in writing will be considered in compiling the report and will be attached to the document.

Amendments

Amendments to the Consolidated Plan can occur anytime though out the year and must follow the requirements of this CPP. New activities or an increased level of funding for an existing project can only occur through reprogramming funds as all funds are "programmed" each year.

Reprogramming funds alters the funding priority for the Consolidated Plan, thus causing an amendment. Reprogramming can occur in two ways: 1) adding additional funds to an existing project, or 2) adopting a new project. The City's Citizen Participation Plan outlines the City's process for reprogramming funds, and defines what triggers a public hearing due to a "significant" change in the plan.

Pursuant to HUD guidance, this threshold of significance is no longer acceptable. The following substantial change criteria are recommended by HUD:

Consolidated Plan (Five-Year Strategy) - The City will amend its approved Consolidated Plan (Five-Year Strategy) whenever a decision is made to propose a substantial change in allocation priorities. For the purpose of the Consolidated Plan, a "substantial change" will constitute a cumulative change equal to or in excess of 25% of the City's CDBG or HOME entitlement for a program year.

Changes in funding priority not amounting to more than 25% of a program year will not be considered a substantial change to the Consolidated Plan; no formal amendment to the Consolidated Plan requiring public review and comment will be warranted.

Annual Action Plan - The City will amend its approved Action Plan whenever one of the following decisions is made:

1. to carry out an activity not previously described in the Action Plan;
2. to cancel an activity previously described in the Action Plan;
3. to increase the amount to be expended on a particular activity from the amount stated in the Action Plan by more than 25% up to \$25,000; or
4. to substantially change the purpose, scope, location, or beneficiaries of an activity.

Changes in funding for an existing activity (project) not amounting to more than 25% (or \$25,000 whichever is smaller) will not be considered a substantial change to the Action Plan; no formal amendment to the Action Plan requiring public review and comment will be warranted.

The following changes do not constitute a significant change:

- Projects that are deleted because the recipient has gone bankrupt.
- Reductions in funding due to nonperformance of a recipient or violations in the agreement.
- Funding reductions due to cost savings.

Reprogramming Funds

Through this Citizen Participation Plan, the City shall adopt the following policies for the reprogramming of funds:

A substantial change requires the following:

- CPAB recommendation
- 30-day public review of the proposed change
- Public hearing to receive public comments prior to Council approval

A change not considered substantial can be approved by the Director of Economic Development.

- Funds remaining after the completion of a project shall be made available for reprogramming.
- City projects such as housing programs, public facilities, public improvements, and public services shall receive the highest priority for consideration of reprogramming funds.

Coordination with City Boards and Commissions

Any communication or activity that will affect areas of concern of various City advisory bodies will be submitted for approval or action to the appropriate commission or board by the Economic Development staff, or by implementing department's staff members. Among these bodies are:

- Redevelopment Agency/City Council
- Economic Development Committee (A subcommittee of City Council)
- Citizen Participation Advisory Board (CPAB)
- Planning Commission
- Community Services Commission
- Public Works Commission
- Human Relations Task Force

Code of Ethics/Conflict of Interest

It shall be forbidden for any member of boards, commissions, and committees having a material interest in the outcome of decisions to participate in the review of, discussion regarding or voting upon any application on or in any way attempt to influence other members of the respective body. According to direction from the Los Angeles area office of HUD, any CPAB member with such a conflict must resign from either the board or from the position from which the conflict arises. City staff will review applications for new members and attempt to identify potential conflicts prior to appointment.